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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chia Kung et al.

Title: METHOD AND SYSTEM TO FLUSH AN RO SYSTEM

Docket No.: 1330.019US1

Filed: March 17, 2004

Examiner: Unknown

Serial No.: 10/802,663

Due Date: N/A

Group Art Unit: 1723

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the attached:

☒ Communication Re: Incorrect Filing Receipt (1 pg.)

☒ Copy of Filing Receipt (2 pgs.)

☒ Declaration and Power of Attorney (9 pgs.)

☒ A return postcard.

No Additional fee is required.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer No: 21186

By: Peter C. Maki  
Name: Peter C. Maki  
Reg. No. 42,832  
PCM:CMG:yrtj

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of December, 2004.

Yvette R. Jarjou  
Name

Yvette R. Jarjou  
Signature



S/N 10/802,663

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Chia Kung et al.	Examiner:	Unknown
Serial No.:	10/802,663	Group Art Unit:	1723
Filed:	March 17, 2004	Docket:	1330.019US1
Customer No.	21186	Confirmation No.	2664
Title:	METHOD AND SYSTEM TO FLUSH AN RO SYSTEM		

COMMUNICATION RE: INCORRECT FILING RECEIPT


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby request correction of the Filing Receipt with respect to the above-identified patent application. In the Filing Receipt received September 3, 2004, (copy enclosed), Power of Attorney: list only ten Attorneys. Please note the updated Declaration and Power of Attorney (copy enclosed) shows our **Customer number as 21186**.

Applicants would appreciate the above-identified printing error be corrected and that a new "corrected" filing receipt be sent to Applicants' representatives at the address given below.

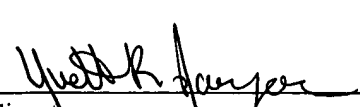
Respectfully submitted,  
CHIA KUNG ET AL.  
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date 12/2/04 By   
Peter C. Maki  
Reg. No. 42,832  
PCM:CMG:yry

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Yvette R. Jarjou  
Name

  
Signature



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/802,663	03/17/2004	1723	900	1330.019US1	6	16	3

Schwegman, Lundberg, Woessner & Kluth, P.A.  
 P.O. Box 2938  
 Minneapolis, MN 55402



CONFIRMATION NO. 2664  
 UPDATED FILING RECEIPT  
 \*OC000000013723783\*  
 \*OC000000013723783\*

Date Mailed: 09/03/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Chia Kung, Eden Prairie, MN;  
 Phillip Goebel, New Hope, MN;  
 Thomas J. Cartwright, Albertville, MN;  
 Peter Cartwright, Bloomington, MN;  
 Kenneth J. Sieth, Delafield, WI;  
 Richard Reckin, Colgate, WI;  
 Duane Freimuth, Milwaukee, WI;

**Power of Attorney:**

James Anglin--24916  
 Charles Steffey--25179  
 Walter Nielsen--25539  
 Michael Schwegman--25816  
 Ruth Newton--26657

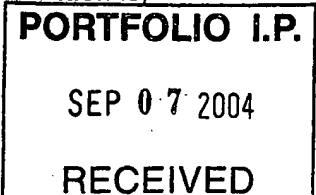
Warren D. Woessner--30440  
 Steven Lundberg--30568  
 Daniel Kluth--32146  
 Richard E. Billion--32836  
 J. Kevin Parker--33024

**Domestic Priority data as claimed by applicant****Foreign Applications**

If Required, Foreign Filing License Granted: 06/01/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,

**US10/802,663**



**Projected Publication Date:** 09/22/2005

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Method and system to flush an RO system

**Preliminary Class**

210

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND SYSTEM TO FLUSH AN RO SYSTEM.**

The specification of which was filed on March 17, 2004 as application serial no. 10/802,663.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

**Customer Number: 21186**

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:

**P.O. Box 2938, Minneapolis, MN 55402**

**Telephone No. (612)373-6900**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Chia Kung**

Citizenship: **United States of America**

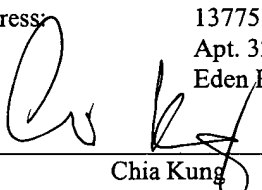
Residence: **Eden Prairie, MN**

Post Office Address: **13775 Chestnut Drive**

**Apt. 325**

**Eden Prairie, MN 55344**

Signature: \_\_\_\_\_



Chia Kung

Date: \_\_\_\_\_

10/26/2004

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventor number 2 : **Phillip Goebel**  
Citizenship: **United States of America**  
Post Office Address: 7731 47 1/2 Ave. N.  
New Hope, MN 55428

Residence: New Hope, MN

Signature: Phillip T. Goebel  
Phillip Goebel

Date: 26 OCT 2004

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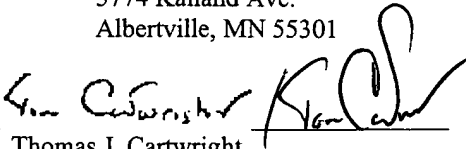
Full Name of joint inventor number 3 : Thomas J. Cartwright

Citizenship: United States of America

Residence: Albertville, MN

Post Office Address: 5774 Kalland Ave.  
Albertville, MN 55301

Signature: \_\_\_\_\_

  
Thomas J. Cartwright

10/26/04  
Date: 10/21/2004


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Full Name of joint inventor number 4 : **Peter Cartwright**  
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Residence: **Bloomington, MN**

Signature: \_\_\_\_\_



Peter Cartwright

Date: OCT 20, 2004

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Full Name of joint inventor number 5 : **Kenneth J. Sieth**

Citizenship: **United States of America**

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Signature: Kenneth J. Sieth  
Kenneth J. Sieth

Date: 23 Nov 04

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Full Name of joint inventor number 6 : **Richard Reckin**  
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Residence: **Colgate, WI**

Signature:   
Richard Reckin

Date: 11-23-04

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Full Name of joint inventor number 7 : **Duane Freimuth**

Citizenship: **United States of America**

Residence: **Milwaukee, WI**

Post Office Address: 2150 South 59th Street  
Milwaukee, WI 53219

Signature: \_\_\_\_\_

*Duane Freimuth*

Duane Freimuth

Date: \_\_\_\_\_

*23 Nov 04*

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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.